REMARKS

In view of the above amendment and following remarks, reconsideration of the present application is respectfully requested.

By this amendment, claims 15-16 & 18 have been amended and claim 17 has been cancelled with prejudice. Accordingly, claims 15-16 & 18 are pending in this application.

The Applicants appreciate the courtesy extended by Examiner Marc Dazenski for conducting a personal interview with the Applicants' representative on December 9, 2009 at the United States Patent and Trademark Office. Included next is a substance of the interview.

The Examiner has requested deletion of the sentence spanning lines 6-8 on page 90 of the specification. Accordingly, by this amendment, the specification has been amended as per the Examiner's request.

It is noted that the Examiner has rejected claim 17 under 35 U.S.C. §112 for the reasons contained on page 6 of the Office Action. It is submitted that this rejection is rendered moot due to the cancellation of claim 17.

It is noted that the Examiner has rejected claim 15 under 35 U.S.C. §101 for the reasons contained on page 5 of the Office Action. Particularly, the Examiner states that claim 15 does not define a computer-readable medium and is thus held non-statutory. Accordingly, by this amendment, claim 15 has been amended to recite a computer-readable recording medium. Support for such amendment is provided by at least page 90 (lines 2–16) of the specification. Thus, it is submitted that claim 15 clearly recites statutory subject matter under 35 U.S.C. §101.

Next, it is noted that the Examiner has rejected claims 15, 16 and 18 under 35 U.S.C. §102(e) as being anticipated by Tsumagari et al. (US Pub. 2003/0161615), hereinafter Tsumagari.

7

The Applicants respectfully traverse the aforementioned rejection and submit that the Tsumagari reference fails to disclose or suggest cache management information shows, of files that compose applications, which file is to be read to a cache before audio-visual playback of the title corresponding to the second operation mode object when said title becomes a current title, as recited in each of independent claims 15, 16 and 18.

The Tsumagari reference, on the other hand, merely discloses the reading of ENAV playback information prior to the ENAV contents data body if an ENAV playback control method is read and stored in a memory in advance (see paragraph [0073]).

Due to the fact that the Examiner indicated that he was not persuaded by the aforementioned argument, agreement was reached during the personal interview that the claims could be amended to more clearly distinguish over the prior art reference. Particularly, the Examiner indicated that the prior art rejection and obviousness-type double patenting rejection could be overcome by amending the claims to recite that the cache management information includes a read priority level.

Accordingly, without intending to acquiesce to the aforementioned prior art rejection and in order to expedite allowance of this application, each of pending independent claims 15-16 and 18 has been amended to recite that the cache management information includes a read priority level for determining a priority of the file to be read to the cache, the read priority level having one of a plurality of values. It is submitted that such amendment is supported, for example, at least by Figs. 47 & 58 and page 72 (line 20) – page 76 (line 2) of the application. It is submitted that such newly added feature is clearly not disclosed or suggested by the Tsumagari reference.

It is submitted that the Tsumagari reference clearly fails to disclose or suggest each and every feature as now recited in newly amended independent claims 15-16 and 18 of the present

application. Particularly, it is submitted that the Tsumagari reference fails to disclose or suggest cache management information shows, of files that compose applications, which file is to be read to a cache before audio-visual playback of the title corresponding to the second operation mode object when said title becomes a current title, and the cache management information includes a read priority level for determining a priority of the file to be read to the cache, the read priority level having one of a plurality of values, as now recited in each of independent claims 15-16 and 18 of the present application.

Lastly, as discussed during the personal interview, it is submitted that the provisional rejection of claims 15-16 and 18 on the ground of non-statutory obviousness-type double patenting is rendered moot in view of the aforementioned amendments and arguments. Accordingly, withdrawal of this provisional rejection is respectfully requested.

In view of the foregoing, it is submitted that the present application is clearly allowable and the Examiner is kindly requested to promptly pass this case to issuance.

In the event, however, that the Examiner has any comments or suggestion of a nature necessary to place this case in condition for allowance, then the Examiner is kindly requested to contact the Applicant's representatives to expedite allowance of this application.

Respectfully submitted,

/Dhiren Odedra, Reg. #41,227/

Dhiren Odedra
December 18, 2009   Reg. No. 41,227

Panasonic Patent Center
1130 Connecticut Ave., NW, Suite 1100
Washington, D.C. 20036
Phone: 202-912-3800
Fax: 202-912-0774
Customer No. 42212